

MARLER CLARK, LLP, PS
Denis W. Stearns (DS-9921)
6600 Bank of America Tower
701 Fifth Avenue
Seattle, WA 98104
Telephone No. (206) 346-1892
Attorneys for the Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

<p>JOSEPH LANGAN and LORA LANGAN, husband and wife, individually, and as the Parents and Legal Guardians of OWEN PATRICK LANGAN, a minor,</p> <p>Plaintiffs,</p> <p>v.</p> <p>BJ'S WHOLESALE CLUB, INC., a foreign corporation,</p> <p>Defendant,</p> <p>and</p> <p>BJ'S WHOLESALE CLUB, INC., a foreign corporation,</p> <p>Defendant/Third-Party Plaintiff,</p> <p>v.</p> <p>BURRIS REFRIGERATED LOGISTICS,</p> <p>Third-Party Defendant,</p> <p>and</p>	<p>Civil Action No. 04-4138(KSH)</p> <p>NOTICE OF SETTLEMENT OF ALL CLAIMS</p>
--	---

<p>BURRIS REFRIGERATED LOGISTICS,</p> <p>Third-Party Defendant/Fourth-Party Plaintiff,</p> <p>v.</p> <p>SMITHFIELD FOODS, INC., d/b/a MOYER PACKING COMPANY, a foreign corporation, and TAYLOR PACKING CO., INC., a foreign corporation,</p> <p>Fourth-Party Defendants.</p>	
--	--

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the parties in the above-referenced matter have reached a settlement of all claims. The parties are in the process of documenting the terms of the settlement. Because the settlement involves a minor's claim, a request to the Court for a friendly hearing will be forthcoming. Accordingly, the parties request the court to retain jurisdiction over the parties for all purposes necessary to effectuate and approve the settlement.

The Court is respectfully requested to vacate all current dates.

DATED this 28th day of November, 2006.

MARLER CLARK, L.L.P., P.S.
Denis W. Stearns, Esq.
Attorneys for Plaintiffs
6600 Bank of America Tower
701 Fifth Avenue
Seattle, WA 98104
Telephone No. (206) 346-1892
Attorneys for the Plaintiffs

By: /s/ Denis W. Stearns
DENIS W. STEARNS (DS-9921)

Co-Counsel:
KILSTEIN & KILSTEIN, LLC
Neil Kilstein, Esq.
611 River Drive
River Drive Center 3, Suite 320
Elmwood Park, NJ 07407
Telephone No. (201) 791-7797
Attorneys for the Plaintiffs

By: /s/ Neil I. Kilstein
NEIL I. KILSTEIN (NK-7203)


SO ORDERED: _____
DATE: 11/29/06